

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes the following changes:

The Figure is newly added.

Attachment: One (1) New Drawing Sheet

## **REMARKS**

Claims 1- 7, 11-21, 28-34 and 38-55 are all of the pending claims, with claims 1, 28, 38, 45, 49, 52 and 53 being written in independent form. By virtue of this Amendment, Applicant cancels claims 8-10, 22-27 and 35-37, without prejudice or disclaimer, and adds new claims 53-55.

### **I. Drawings:**

The Examiner requires a drawing to facilitate understanding of the claimed invention. A new drawing accompanies this Amendment. Applicant respectfully submits that the new drawing does not introduce any prohibited new matter.

Applicant also appropriately amends the Specification to refer to the new drawing.

### **II Claim Objections:**

The Examiner objects to claim 1 for the reasons noted at paragraph 2 of the Office Action. Applicant amends claim 1 by implementing the Examiner's helpful suggestions.

The Examiner objects to claims 8, 22, 25 and 35 for failing to further limit the subject matter of a previous claim. As a path of least resistance, and without acquiescing to the correctness of the Examiner's position, Applicant cancels claims 8, 22, 25 and 35, without prejudice or disclaimer.

The Examiner objects to claim 31 and 32 for being identical to claims 4 and 5, respectively. To address the Examiner's concerns, Applicant amends claims 31 and 32 to depend from claim 28 (instead of claim 1).

### **III. Claim Rejections Under 35 USC §112(2<sup>nd</sup>):**

The Examiner rejects claims 28-30 and 33-52 under 35 USC §112(2<sup>nd</sup>) because independent claims 28, 38, 45, 49 and 52 recite relative terms that render the claim indefinite. To address the Examiner's concerns, Applicant amends claims 28, 38, 45, 49 and 52 to implement somewhat similar terminology as that recited in independent claim 1. Applicant believes that the amended claims more particularly point out and distinctly claim the subject

matter regarded as the invention, there by overcoming the raised rejections under 35 USC §112(2<sup>nd</sup>).

#### IV. Claim Rejections on Prior Art Grounds:

The Examiner rejects claims 1, 2, 4-8, 12-22, 25, 28, 29, 31-35, 38, 39, 41-46, and 48-52 under 35 U.S.C. §102(e) as being anticipated by US 6,777,917 to Desprez et al. (“Desprez”); and claims 3, 9-11, 23, 24, 26, 27, 30, 36, 37, 40, and 47 under 35 U.S.C. §103(a) as being obvious over Desprez in view of US 6,841,971 to Spee et al. (“Spee”). Applicant respectfully traverses all of these rejections in view of the following remarks.

Each of independent claims 1, 28, 38, 45, 49, 52 and 53 recites (albeit in different formats) that a “*fault*” is indicated (or determined) in a capacitor when a corresponding capacitor voltage is greater than the relatively high voltage level. An example, non-limiting embodiment of this feature is depicted in the figure. Here, the voltage curve 4 of a capacitor is charted with respect to time. When the voltage curve 4 exceeds the relatively high voltage level 1 (shown as segment 5), a fault in the capacitor is indicated. Written description support for this feature can be found at paragraph [0015] of the instant specification. At least the “*fault*” feature (as recited in each of the independent claims), in combination with the other features recited in the independent claims, is not taught or suggested by the prior art relied upon by the Examiner.

The Examiner relies heavily upon the Desprez reference to teach each and every feature of the invention defined by the independent claims. In so doing, the Examiner concludes that the method disclosed by Desprez involves indicating a fault in a capacitor when a corresponding capacitor voltage is greater than a relatively high voltage level. Applicant respectfully disagrees.

Desprez’s disclosure is straightforward with the functional aspects of the disclosed circuit. Namely, the charging current *bypasses* the capacitor once the voltage at the capacitor reaches a threshold value. The Examiner’s attention is respectfully directed to column 6 lines 34+ of the reference, which describes the bypass functionality. Applicant acknowledges that Desprez mentions that a threshold voltage value may be exceeded, but the reference does not contain any teachings pertinent to indicating (or determining) a fault in a capacitor when a corresponding capacitor voltage is greater than the relatively high voltage level, as recited in each of the independent claims of the instant application.

Applicant respectfully submits that the secondary reference to Spee fails to make up for the deficiencies of Desprez noted above.

### **CONCLUSION**

In view of the above, Applicant earnestly solicits reconsideration and allowance of each of the pending claims.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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